

tion of paragraphs 1, 2, and 4 of said section 8, under the classification of "Food" in said act; and was further liable to condemnation in that it was adulterated in violation of section 7 of said Food and Drugs Act and of paragraphs 1 and 2 under "Food" in said act, an examination of the samples of the product by the Bureau of Chemistry of the Department of Agriculture having revealed that said product was imitation scuppernong wine, prepared wholly or in part of [from(?)] a mixture of pomace wine and other wines, and very little, if any, scuppernong wine, thus reducing or injuriously affecting its quality and strength as aforesaid, said misbranding, labeling, and adulteration, as aforesaid, constituting a violation within the meaning of the act of June 30, 1906.

On April 27, 1914, the case having come on for final hearing, judgment of condemnation and forfeiture by default was taken, and it was ordered by the court that the product should be distributed to certain charitable institutions.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., September 28, 1914.

**3418. Adulteration and misbranding of lemon and orange extracts. U. S. v. Warner-Jenkinson Co. Plea of guilty. Fine, \$20. (F. & D. No. 4611. I. S. Nos. 19301-d, 19302-d.)**

On June 13, 1913, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warner-Jenkinson Co., a corporation, St. Louis, Mo., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 29, 1912, from the State of Missouri into the State of Iowa, of a quantity of lemon and orange extracts, which were adulterated and misbranded.

The lemon extract was labeled: "Pure Extract Terpeneless Messina Lemon \* \* \* Serial No. 2008. Warner-Jenkinson Co. St. Louis, Mo."

Analysis of a sample of this product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume) .....	43.28
Citral (Chase) (per cent by weight) .....	0.09
Citral (Hiltner) (per cent by weight) .....	0.12
Methyl alcohol: None.	

Oil by precipitation: None.

Oil by polarization: None.

Coloring matter appears to be vegetable; unidentified.

Adulteration of the product was alleged in the information, for the reason that a dilute terpeneless extract of lemon had been mixed and packed with it in such manner as to reduce and lower and injuriously affect its quality and strength, and in that a dilute terpeneless extract of lemon had been substituted wholly or in large part for said article and product; that terpeneless extract of lemon, as understood by the trade and the public generally, is a flavoring extract prepared by shaking oil of lemon with dilute alcohol, or by dissolving terpeneless oil of lemon in dilute alcohol, and contains not less than two-tenths per cent by weight of citral derived from oil of lemon; and said product was not terpeneless extract of lemon as so understood by the trade and public generally. Misbranding was alleged for the reason that the statement "Pure Extract Terpeneless Messina Lemon," borne on the label, was false and misleading, because it created the impression and led the purchaser to believe that the product was a genuine terpeneless lemon extract, when, in truth and in fact, it was a dilute terpeneless lemon extract, and for the fur-

ther reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Pure Extract Terpeneless Messina Lemon," when, in truth and in fact, it was a dilute terpeneless extract of lemon.

The orange extract was labeled: "Soluble Orange Extract Artificial Color added \* \* \* Serial No. 2008 Warner-Jenkinson Co., St. Louis, Mo."

Analysis of a sample of this product by said Bureau of Chemistry showed the following results:

Alcohol (per cent by volume)-----	38.80
Citral (Chace) (per cent by weight)-----	0.03
Citral (Hiltner) (per cent by weight)-----	0.02

Oil by precipitation: None.

Oil by polarization: None.

Coloring matter appears to be vegetable; unidentified.

Adulteration of this product was alleged in the information for the reason that a dilute solution of alcohol artificially colored, which contained little or no flavoring derived from orange oil, had been mixed and packed with it in such manner as to reduce and lower and injuriously affect its quality and strength; and, further, in that a dilute solution of alcohol artificially colored, which contained little or no flavoring derived from orange oil, had been substituted wholly or in large part for the article; and, further, that it was colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that the statement "Soluble Orange Extract Artificial Color added," borne on the label, was false and misleading, because it created the impression and led the purchaser to believe that said product was a genuine soluble orange extract containing artificial coloration, whereas, in truth and in fact, said product was a dilute solution of alcohol artificially colored and contained little or no flavoring derived from orange oil; and said product was further misbranded, in that it was labeled and branded so as to deceive and mislead the purchaser, being labeled "Soluble Orange Extract Artificial Color added," when, in truth and in fact, it was a dilute solution of alcohol containing but little, if any, orange flavor artificially colored.

On May 12, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 28, 1914.*

**3419. Adulteration of Tomato Catsup. U. S. v. 65 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 4715. I. S. No. 2350-e. S. No. 1551.)**

On October 28, 1912, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 65 cases, each containing 24 bottles, of tomato catsup, remaining unsold in the original unbroken packages at Albany, Ga., alleging that the product had been shipped on or about October 2, 1912, and transported from the State of Maryland into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 Doz. 8 Ounce Atlas Brand Tomato Catsup. Atlas Preserving Co. Baltimore, Md." The bottles were labeled: "Tomato catsup Atlas Brand, Tomatoes combined with Gran. Sugar, Distilled Vinegar, Salt, pure Spices, prepared with care, Atlas Preserving Co. Baltimore, Md."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of filthy and [or] decomposed vegetable substance.